

REMARKS

Claims 1-3, 6-16, and 23 are now pending in the application. Claims 4, 5, and 17-22 have been cancelled. Claims 5 and 12 were objected to, but the Examiner indicated they contain allowable subject matter. Claim 16 was allowed. Applicant notes that the amendments filed in the first after final response submitted on July 19, 2005 were not entered as indicated in the Advisory Action. Thus, new amendments are now being presented, which Applicant believes places the claims in condition for allowance.

Claim 1 has been amended to incorporate the subject matter of dependent Claims 4 and 5, which are now cancelled. Newly added independent Claim 23 presents the subject matter of Claim 12, which has been cancelled. Applicant believes that these amendments to the claims place the application in condition for allowance and respectfully requests entry and consideration of the amendments after final rejection. Support for the amendments and newly added claims are found throughout the specification and claims as originally filed. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-4, 8 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,333,612 to Wild. This rejection is respectfully traversed. Claims 1-3, 6, 8 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 4,455,872 to Kossoff et al. This rejection is respectfully traversed.

Claim 1 has been amended to incorporate the subject matter of dependent Claim 5. Claim 1 now recites that the transducer is arranged to direct ultrasonic waves through the media to a terminal end of the support structure, and further directs waves to a target comprising a resistance spot weld joint. The Examiner indicated that Claim 5 contained subject matter patentable over the cited art. As such, both Wild and Kossoff fail to anticipate the invention as claimed in amended independent Claim 1 and its dependent Claims 2-3, 6, 8, 9, and 14. In this regard, Applicant respectfully requests reconsideration and allowance of these claims.

REJECTION UNDER 35 U.S.C. § 103

Claims 10, 11, 13, 15, 17 and 19-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Wild reference. This rejection is respectfully traversed.

Claims 17-22 have been cancelled. Dependent Claims 10, 11, 13, and 15 all depend upon amended Claim 1, and thus now recite that the transducer is arranged to direct ultrasonic waves through the media to a terminal end of the support structure, and further directs waves to a target comprising a resistance spot weld joint. As such, the Wild reference has no suggestion or motivation to provide a support structure having a terminal end through which the transducer directs ultrasonic waves to a target of a resistance spot weld joint. Thus, Applicant respectfully submits that Claims 10, 11, 13, and 15 are not rendered obvious over Wild and requests reconsideration of these claims.

Claims 6 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Wild in view of Kossoff et al. This rejection is respectfully traversed.

Claims 6 and 14 are dependent upon amended Claim 1, as described above.

For the reasons cited above, the Wild reference does not disclose, suggest or provide motivation to arrive at the invention as claimed in Claims 6 and 14. Kossoff does not account for the deficiencies of the Wild patent. Thus, neither Wild nor Kossoff separately or in combination suggest or motivate one of skill in the art to arrive at the invention claimed in Claims 6 and 14. As such, Applicant respectfully submits that neither Claim 6 nor 14 are rendered obvious in view of Wild over Kossoff and requests reconsideration thereof.

Claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Kossoff reference. This rejection is respectfully traversed. Claims 7 and 15 are dependent upon amended Claim 1. As such, Kossoff does not disclose, suggest, or provide any motivation to arrive at the invention recited in either Claims 7 or 15.

For the reasons set forth above, Applicant respectfully requests reconsideration of the claims and respectfully submits that Claims 10, 11, 13, and 15 are in condition for allowance.

ALLOWABLE SUBJECT MATTER

The Examiner previously indicated that Claim 16 is allowed. The Examiner indicated that Claims 5 and 12 would be allowable over the cited art of record if rewritten in independent form. Applicant has rewritten Claim 5 in independent form in amended Claim 1. Likewise, new Claim 23 incorporates the subject matter of Claim 12. Applicant thanks the Examiner for the thorough consideration of the claims and allowance of the indicated claims.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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